

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, AFL-CIO,

ASSOCIATION OF ADMINISTRATIVE LAW
JUDGES, INTERNATIONAL FEDERATION OF
PROFESSIONAL AND TECHNICAL ENGINEERS
JUDICIAL COUNCIL 1, AFL-CIO,

VANESSA BARROW, GEORGE JONES, DEBORAH
TOUSSANT, and DOES 1–100,

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL MANAGEMENT, an
agency of the United States,

CHARLES EZELL, in his official capacity as Acting
Director of the Office of Personnel Management,

U.S. DOGE SERVICE f/k/a U.S. DIGITAL SERVICE,

ACTING U.S. DOGE ADMINISTRATOR,

U.S. DOGE TEMPORARY SERVICE a/k/a the
“DEPARTMENT OF GOVERNMENT EFFICIENCY,”
and

ELON MUSK, in his capacity as director of the U.S.
DOGE TEMPORARY SERVICE,

Defendants.

Case No. 1:25-cv-01237

**DECLARATION OF DEBORAH TOUSSANT IN SUPPORT OF PLAINTIFFS’
MOTION FOR TEMPORARY RESTRAINING ORDER**

I, Deborah Toussant, declare as follows:

1. I am a named Plaintiff in this action. I am a retiree of the Department of Veterans Affairs. The statements made in this declaration are based on my personal knowledge, materials I have reviewed, and information made available to me.

2. I certify that the publicly reported facts in the Complaint are true to the best of my knowledge and belief.

3. As a retired federal employee, the Office of Personnel Management maintains my employment records.

4. My fundamental right to privacy was violated when OPM disclosed my records to DOGE without my consent.

5. I fear DOGE's access has made OPM's systems that maintain my records less secure and exposes me to security risk.

6. I fear DOGE could use my improperly disclosed records to retaliate against me because the Trump administration has repeatedly threatened to fire government employees they view as disloyal.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 13 2025.



Deborah Toussant

CERTIFICATE OF SERVICE

Counsel for Plaintiffs certify that they have sent—through Defendants’ counsel Christopher Hall at the U.S. Department of Justice Federal Programs Branch —notice of this motion.

Plaintiffs’ counsel will immediately send electronically copies of the filing to Defendants’ counsel and will serve subsequent registered participants electronically and paper copies will be sent to any non-registered participants.

Dated: February 14, 2025

/s/ Rhett O. Millsaps II
Rhett O. Millsaps II